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March 5, 2013

**VIA ECF AND
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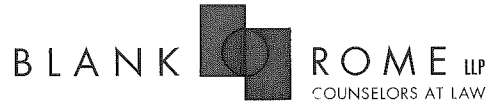
Hon. Cathy L. Waldor
United States District Court
Martin Luther King, Jr.
Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: **In the Matter of a Petition for Judicial Assistance
Pursuant to 28 U.S.C. § 1782 by Star Reefers Shipowning Inc.
Case No. 2:12-mc-00364-SRC**

Dear Judge Waldor:

We represent Petitioner, Star Reefers Shipowning Inc. ("Star Reefers") in connection with the above-captioned matter, which involves an application, pursuant to 28 U.S.C. § 1782, for collection of evidence in the United States for use in a foreign legal proceeding. By this letter, we respectfully seek to withdraw, for the time being, the request for a teleconference set forth in our prior letter of February 27, 2013.

As explained in our prior letter, the parties to these proceedings appeared before Judge Chesler on January 28, 2013 and January 29, 2013. On January 29, 2013, Judge Chesler signed a Consent Order (Dkt. No. 15), under the terms of which Respondent Goltens Worldwide Management Corp. ("Goltens") was to produce all documents itemized in an agreed list, no later than March 15, 2013. That time was of the essence was recognized by all concerned and, as specifically stated in the Order, documents were to be produced, in the interim, on a rolling basis. As also stated in our prior letter, however, Goltens has to date produced no documents, notwithstanding what we believe was an explicit representation by Goltens's counsel that Goltens had on hand a substantial quantity of responsive documents for immediate production, subject only to entry of a confidentiality order.



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After the filing of our letter of February 27, 2013 – and only after the filing of that letter – opposing counsel responded to our prior communications via a series of emails, and claimed in those emails that opposing counsel had never informed us that Goltens was in possession of documents that could be produced immediately after execution of a confidentiality order. Opposing counsel's assertions in this regard are directly at odds with our clear recollection of conversations held over two days in the Newark courthouse in late January (and we would submit are also inconsistent with the conduct of the parties and Judge Chesler's inclusion of a provision for rolling production in the January 29, 2013 Order); however, we are not currently in a position to demonstrate the truth or falsity of opposing counsel's current position, and believe that, as a consequence, a teleconference regarding the matter might devolve into finger-pointing without any positive progress being made.

Under the circumstances, and considering that the date for production by Goltens of all responsive documents is Friday, March 15, 2013, we consider it unlikely that a teleconference at this time would be the best use of the Court's resources. We therefore request that our prior request for a teleconference be withdrawn, without prejudice to our client's right to seek judicial intervention immediately upon expiration of the March 15, 2013 deadline, should all responsive documents not have been produced by that date.

We thank the Court for its time and attention to this matter to date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin R. Doherty". The signature is fluid and cursive, with a large loop at the end.

Kevin R. Doherty

KRD/rk